



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-

AMINOLEVULINIC ACID AND OTHER PRECURSORS OF

**ENDOGENOUS PORPHYRINS** 

Appl. No.: 09/293,835

Filing Date: 04/19/1999

Examiner: Shahnam J. Sharareh

Art Unit: 1617

## <u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 CFR §1.56</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

Atty. Dkt. No. 067286-0204



## TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

## RELEVANCE OF EACH DOCUMENT

The document listed on the attached PTO/SB/08 was cited by the Examiner as being relevant in a related U.S. application, Serial No. 10/605,825.

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Date

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: Facsimile:

(202) 672-5475

(202) 672-5399

Respectfully submitted,

Beth A. Burrous

Attorney for Applicant

Registration No. 35,087

MODIFIED PTO/SB/08 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Upper the Papeavork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number 1995.

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, Substitute for form 1449B/PTO				Complete if Known			
	INFORMAT	ION DISCLO	SURE	Application Number	09/293,835		
STATEMENT BY APPLICANT				Filing Date	04/19/1999		
				First Named Inventor	James C. KENNEDY		
				Group Art Unit	1617		
	(use as many	sheets as ne	cessary)	Examiner Name Shahnam J. Sharareh			
Sheet	1	of	1	Attorney Docket Number	067286-0204		

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of	Date of Publication of	Pages, Columns, Lines, Where Relevant	
		Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	
	B1	5,093,349	Α	PANDEY et al.	03-03-1992		
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Examiner	Date	
Signature	Considered	

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.